

BILL ANALYSIS

Senate Research Center

S.B. 491
By: Paxton
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current University Interscholastic League (UIL) policies, home-schooled students are prohibited from participating in extracurricular activities such as sports, theater, and musical competition through UIL. In recent years, some homeschool parents have chosen to organize and enroll their children in private athletic leagues or other creative outlets. However, homeschool families of limited economic means or in rural areas do not have access to these activities. S.B. 491 seeks to give home-schooled students who are eligible to participate in UIL activities the option to participate in UIL activities in their local school district.

As proposed, S.B. 491 amends current law relating to authorizing equal opportunity for access by home-schooled students to University Interscholastic League sponsored activities and authorizes a fee.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.0832, as follows:

Sec. 33.0832. EQUAL OPPORTUNITY FOR HOME-SCHOOLED STUDENTS TO PARTICIPATE IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) Defines "home-schooled student."

(b) Requires a public school that participates in an activity sponsored by the University Interscholastic League (UIL), except as provided by Subsection (g), to provide a home-schooled student, who otherwise meets UIL eligibility standards to represent that school in a UIL activity, with the opportunity to participate in the activity on behalf of the school in the same manner that the school provides the opportunity to participate to students enrolled in the school.

(c) Provides that a home-schooled student who seeks to participate or participates in a UIL activity on behalf of a school is subject to the following relevant policies that apply to students enrolled in the school: policies regarding registration, age eligibility, fees, insurance, transportation, physical condition, qualifications, responsibilities, event schedules, standards of behavior, and performance.

(d) Provides that the parent or person standing in parental relation to a home-schooled student is responsible for oversight of academic standards relating to the student's participation in a UIL activity. Requires a home-schooled student, as a condition of eligibility to participate in a UIL activity during the first six weeks of a school year, to demonstrate grade-level academic proficiency on any nationally recognized, norm-referenced assessment instrument, such as the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, or Comprehensive Test of Basic Skills. Provides that a home-schooled student

demonstrates the required academic proficiency by achieving a composite, core, or survey score that is within the average or higher than average range of scores, as established by the applicable testing service. Requires a school district, for purposes of this subsection, to accept assessment results administered or reported by a third party.

(e) Provides that a home-schooled student's demonstration of academic proficiency under Subsection (d) is sufficient for purposes of that subsection for the school year in which the student achieves the required score and the subsequent school year.

(f) Requires the parent or person standing in parental relation to a home-schooled student participating in a UIL activity on behalf of a public school, after the first six weeks of a school year, to periodically, in accordance with the school's grading calendar, provide written verification to the school indicating that the student is receiving a passing grade in each course or subject being taught.

(g) Prohibits a home-schooled student from participating in a UIL activity during the remainder of any school year during which the student was previously enrolled in a public school.

(h) Prohibits UIL from prohibiting a home-schooled student from participating in UIL activities in the manner authorized by this section.

(i) Requires that nothing in this section, with respect to a home-schooled student's education program, be construed to permit an agency of Texas, a public school district, or any other governmental body to exercise control, regulatory authority, or supervision over a home-schooled student or a parent or person standing in parental relation to a home-schooled student beyond the control, regulatory authority, or supervision required to participate in a UIL activity.

(j) Provides that, subject only to eligibility requirements under this section for a home-schooled student to participate in a UIL activity, the curriculum or assessment requirements, performance standards, practices, or creed of the education program provided to a home-schooled student are prohibited from being required to be changed in order for the home-schooled student to participate in a UIL activity, and for a home-schooled student participating in an education program on January 1, 2021, the education program provided to that student is prohibited from being required to comply with any state law or Texas Education Agency rule relating to that education program unless the law or rule was in effect on January 1, 2021.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 3. Effective date: upon passage or September 1, 2021.